

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

ERIC WALKER,	:	
Petitioner,	:	
	:	CIVIL ACTION
v.	:	NO. 13-15
	:	
SUPERINTENDENT JOHN	:	
KERESTES, et al.,	:	
Respondents.	:	

**ORDER**

AND NOW, this 17<sup>th</sup> day of December, 2013, upon careful consideration of the petition for writ of habeas corpus, the parties' briefs, the United States Magistrate Judge Thomas J. Reuter's Report and Recommendation, and Petitioner's objection to the Report and Recommendation,<sup>1</sup> it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for writ of habeas corpus is **DENIED**; and
3. There is no basis for the issuance of a certificate of appealability.<sup>2</sup>

s/Anita B. Brody

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ANITA B. BRODY, J.

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<sup>1</sup> Walker objects to the Magistrate Judge's conclusion that he is not entitled to relief on his claim that he was denied a right to a speedy trial as guaranteed by Rule 600 of the Pennsylvania Rules of Criminal Procedure. A violation of Rule 600 is not a cognizable federal habeas claim. *Bridgeford v. Varano*, No. 11-372, 2012 WL 3536055, at \*6 (E.D. Pa. Apr. 26, 2012) report and recommendation adopted, No. 11-0372, 2012 WL 3536025 (E.D. Pa. Aug. 15, 2012). The Magistrate Judge properly denied this claim.

<sup>2</sup> In the Third Circuit, a certificate of appealability is granted only if the petitioner makes: "(1) a credible showing that the district court's procedural ruling was incorrect; and (2) a substantial showing that the underlying habeas petition alleges a deprivation of constitutional rights." *Morris v. Horn*, 187 F.3d 333, 340 (3d Cir. 1999). Walker has not made such a showing.